

REMARKS

Claims 1, 3, 4, 7-11 and 14-22 are pending. By this response claims 1, 4 and 7 are amended and claims 5 and 6 are cancelled. Claims 2, 12 and 13 were previously cancelled. Reconsideration and allowance based on the above amendments and the following remarks are respectfully requested.

Allowable Subject Matter

Applicant appreciates the indication that claims 6 and 7 as containing allowable subject matter and would be allowed if amended to include all the features of their base claim and any intervening claims. Also, Applicant appreciates the indication of claims 15-22 as being allowed.

Applicant notes that independent claims 1 and 4 have been amended to include the allowed features of claim 6 and its intervening claim 5. Applicant respectfully submits that claims 1 and 4 are now in condition for allowance.

Prior Art Rejections

The Office Action rejects claims 1, 3-5, 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Lu (U.S. 5,852,672), Miramonti et al. (U.S. 6,288,385) and Wechsler (U.S. 3,800,307). Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over a combination of Lu, Miramonti, Wechsler and Bacs, Jr., et al. (U.S. 6,324,347); claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Lu, Miramonti, Wechsler and Lo et al. (U.S. 6,269,223); and claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Lo, Miramonti, Wechsler and Moreton et al. (U.S. 5,835,133). These rejections are respectfully traversed..

As noted above, independent claims 1 and 4 have been amended to include features of allowed dependent claim 6 and intervening claim 5. Applicant respectfully submits that the amendments to claims 1 and 4 place these claims in condition for allowance, therefore the pending rejections are now moot. Accordingly, withdrawal of the rejections are respectfully requested.

CONCLUSION

For at least the reasons above, it is respectfully submitted that the application is now in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 09/934,573
Amendment dated October 31, 2006
Reply to Office Action of August 16, 2006

Docket No.: 3562-0121P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: October 31, 2006

Respectfully submitted,

By

Michael R. Cammarata

Registration No.: 39,491

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant